

**JOHN TREBON, P.C.**

Attorney at Law  
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308 N. Agassiz  
Flagstaff, Arizona 86001

Ph: (928) 779-1713  
Fax: (928) 774-1265

November 27, 2007

Michael S. Kimm, Esq.  
Kim Spirano  
41 Bancker St.  
Englewood, NJ 07631

Re: *Jin Ah Lee v. ANC Car Rental Corp. et. al.*

Dear Michael and Kim:

In light of the fact that you have reported that you have not received the discovery documents that were served on us, including requests for admissions, I have copied and enclosed them. Please be reminded that a request for admission must be affirmatively answered within forty days or the request is deemed admitted. I do believe that it is appropriate to go through each request for admission independently and decide whether or not it is true or not. If you would like any assistance, please let me know. Otherwise, it is my understanding that I am only taking affirmative action in the case as local counsel when directed by you to do so or circumstances require it.

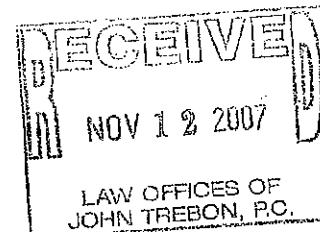
Sincerely,

John Trebon  
Attorney at law

JT: seb

enclosure: discovery documents

1 Thomas M. Klein (State Bar No. 010954)  
2 Abram N. Bowman (State Bar No. 023112)  
3 BOWMAN AND BROOKE LLP  
4 Suite 1600 Phoenix Plaza  
5 2901 North Central Avenue  
6 Phoenix, Arizona 85012  
(602) 643-2300  
(602) 248-0947 - Fax



7  
6 Attorneys for Defendant GM Corporation

8  
9 THE SUPERIOR COURT OF THE STATE OF ARIZONA  
10 IN AND FOR THE COUNTY OF COCONINO

11 JIN AH LEE, decedent, by her estate  
12 representative, JUNGIL LEE,  
13 SANG CHUL LEE, decedent's father,  
14 and DUKSON LEE, decedent's mother,  
15 Plaintiffs,  
16 v.  
17 ANC CAR RENTAL CORP., GENERAL  
18 MOTORS CORP., and HONG-JUN JEON,  
19 Defendants.  
20  
21  
22  
23  
24  
25  
26  
27  
28

) Case No. CV-2005-0307

) DEFENDANT GM CORPORATION'S  
NOTICE OF SERVICE OF DISCOVERY

) (Assigned to Honorable Fred Newton)

Defendants General Motors Corporation hereby gives notice to the Court that on November 8, 2007, it served upon all parties, via U.S. Mail, Defendant GM Corporation's Request for Production of Documents to Plaintiff; Defendant GM Corporation's Non-Uniform Interrogatories to Plaintiff; and Defendant GM Corporation's Request for Admission to Plaintiff.

DATED this 8th day of November, 2007.

BOWMAN AND BROOKE LLP

By:   
Thomas M. Klein  
Abram N. Bowman  
Attorneys for Defendant  
General Motors Corporation

1   || **ORIGINAL** of the foregoing sent to be filed  
2   this 8th day of November, 2007, with :

3   Clerk of the Superior Court  
4   of Coconino County  
5   200 North San Francisco Street  
6   Flagstaff, Arizona 86001

7   **COPY** of the foregoing mailed  
8   this 8th day of November, 2007 to:

9   Michael S. Kimm, Esq.  
10   190 Moore Street, Suite 272  
11   Hackensack, New Jersey 07601  
12   Attorney for Plaintiffs

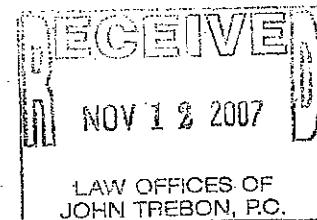
13   John Trebon, Esq.  
14   308 North Agassiz  
15   Flagstaff, Arizona 86001  
16   Attorneys for Plaintiffs

17   Raymond R. Cusack, Esq.  
18   Timothy M. Medcoff, Esq.  
19   QUARLES, BRADY, STREICH & LANG  
20   One South Church Avenue  
21   Suite 1700  
22   Tucson, Arizona 85701  
23   Attorneys for Defendant ANC Rental Corp.

24   G. Peter Spiess, Esq.  
25   SPIESS & ASSOCIATES, P.C.  
26   420 West Roosevelt Street  
27   Phoenix, Arizona 85003  
28   Attorneys for Defendant Hong-Jun Jeon

19   \_\_\_\_\_  
20   Rauner Taylor

1 Thomas M. Klein (State Bar No. 010954)  
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16 v.  
17 ANC CAR RENTAL CORP., GENERAL  
18 MOTORS CORP., and HONG-JUN JEON,  
19 Defendants.

Case No. CV-2005-0307  
DEFENDANT GM CORPORATION'S  
REQUEST FOR ADMISSION TO  
PLAINTIFF  
(Assigned to Honorable Fred Newton)

20 Pursuant to Rule 36, Arizona Rules of Civil Procedure, requests that Plaintiffs Jin Ah  
21 Lee and her stated personal representative Jungil Lee, Sang Chul Lee, and Dukson Lee  
22 ("Plaintiffs"), and their attorneys admit the following facts within forty (40) days of the service  
23 of this Request. The instructions for use that accompany GM's First Set of Interrogatories to  
24 Plaintiffs are applicable to these Requests and are expressly incorporated by this reference.

25 **REQUESTS FOR ADMISSION**

26 **REQUEST FOR ADMISSION NO. 1:** Hong-Jun Jeon was driving the subject vehicle at  
27 the time of the accident.

28 ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

1      **REQUEST FOR ADMISSION NO. 2:** At the time of the wreck, Hong-Jun Jeon was  
2      exceeding the speed limit posted for that section of roadway.

3      ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

4      **REQUEST FOR ADMISSION NO. 3:** Hong-Jun Jeon failed to maintain control of the  
5      subject vehicle at the time of the accident.

6      ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

7      **REQUEST FOR ADMISSION NO. 4:** Hong-Jun Jeon failed to keep the subject vehicle on  
8      the traveled portion of US-160 at the time of the accident.

9      ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

10     **REQUEST FOR ADMISSION NO. 5:** The subject vehicle overturned because Hong-Jun  
11     Jeon failed to maintain control of the subject vehicle.

12     ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

13     **REQUEST FOR ADMISSION NO. 6:** Nothing about the design or manufacture of the  
14     subject vehicle caused it to overturn.

15     ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

16     **REQUEST FOR ADMISSION NO. 7:** The subject vehicle was equipped with a lap and  
17     shoulder belt for the rear driver-side seating position.

18     ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

19     **REQUEST FOR ADMISSION NO. 8:** Jin Ah Lee was not wearing her seat belt at the time  
20     of the wreck.

21     ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

22     **REQUEST FOR ADMISSION NO. 9:** The doors of the vehicle were not locked at the time  
23     of the wreck.

24     ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

25     **REQUEST FOR ADMISSION NO. 10:** All of Jin Ah Lee's injuries, resulting in her death,  
26     occurred after being ejected.

27     ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

1 **REQUEST FOR ADMISSION NO. 11:** More than ninety percent (90%) of all rollover  
2 accidents involve two or fewer complete rolls of the vehicle.

3                   ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

4 **REQUEST FOR ADMISSION NO. 12:** There were no deficiencies in the warnings regarding  
5 the subject vehicle that caused or contributed to the damages alleged in your complaint.

6                   ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

7 **REQUEST FOR ADMISSION NO. 13:** You have no facts to support the allegation in  
8 Paragraphs 23, 28, 32, 36, 40, and 44 of the Complaint that GM "committed its actions  
9 knowingly, intentionally, willfully, wantonly, and/or in reckless disregard of the risks to public  
10 safety as well as the safety of Plaintiff Jin Ah Lee. . . ."

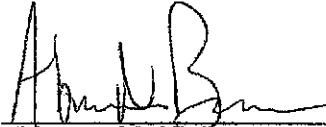
11                   ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

12 **REQUEST FOR ADMISSION NO. 14:** You have General Motors documents in your  
13 possession, custody, or control other than the documents produced by General Motors in  
14 this case.

15                   ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

16 DATED this 3/4/ day of November, 2007.

17                   BOWMAN AND BROOKE LLP

18                     
19 By: \_\_\_\_\_  
20 Thomas M. Klein  
21 Abram N. Bowman  
22 Attorneys for Defendant  
23 General Motors Corporation

24 **ORIGINAL** mailed this 3/4/  
25 day of November, 2007, to:

26 Michael S. Kimm, Esq.  
27 190 Moore Street, Suite 272  
28 Hackensack, New Jersey 07601  
Attorney for Plaintiffs

29 . . .

30 . . .

31 . . .

1 COPY of the foregoing mailed this  
2 6th day of November, 2007

3 John Trebon, Esq.  
4 308 North Agassiz  
5 Flagstaff, Arizona 86001  
6 Attorneys for Plaintiffs

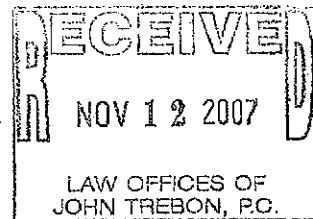
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19 Lauren Taylor

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6 Attorneys for Defendant GM Corporation

7

8 THE SUPERIOR COURT OF THE STATE OF ARIZONA

9 IN AND FOR THE COUNTY OF COCONINO

10 JIN AH LEE, decedent, by her estate  
11 representative, JUNGIL LEE,  
12 SANG CHUL LEE, decedent's father,  
13 and DUKSON LEE, decedent's mother,  
14 Plaintiffs, } Case No. CV-2005-0307  
15 v. }  
16 ANC CAR RENTAL CORP., GENERAL } DEFENDANT GM CORPORATION'S  
17 MOTORS CORP., and HONG-JUN JEON, } NON-UNIFORM INTERROGATORIES  
18 Defendants. } TO PLAINTIFF  
19 \_\_\_\_\_ } (Assigned to Honorable Fred Newton)

20 Pursuant to Rule 33, Arizona Rules of Civil Procedure, Defendant General Motors  
21 Corporation ("GM") propounds the following interrogatories on Plaintiffs Jin Ah Lee and  
22 her stated personal representative Jungil Lee, Sang Chul Lee, and Dukson Lee  
23 ("Plaintiffs") to be answered within forty (40) days after receipt of these requests.

24 DEFINITIONS

25 INSTRUCTIONS FOR USE

26 1. "YOU" and "YOUR" refers to decedent Jin Ah Lee and her stated personal  
27 representative Jungil Lee, as well as plaintiffs Sang Chul Lee and Dukson.

28 ...  
...  
...

1           2. "PERSON" means any natural person and any corporation, partnership, firm,  
2 joint venture, sole proprietorship, association, organization, trust, public entity, or other  
3 legal or business entity of any kind.

4           3. To "IDENTIFY" a person, if that person is a natural person, means to state  
5 that person's name and the present or last known residence or business address; to  
6 "IDENTIFY" a person, if that person is not a natural person, means to state its full name  
7 and specify its nature (corporation, partnership, etc.), and its present or last known  
8 principal business address.

9           4. To "IDENTIFY" a document means to state its date, title, name of author,  
10 and a brief description of its nature or content.

11           5. Where the terms "DOCUMENT" or "DOCUMENTS" are used, they are  
12 meant to mean a writing and includes the original or a copy of handwriting, typewriting,  
13 printing, photostatting, photographing and every other means of recording upon any  
14 tangible thing or form of communication or representation, including letters, words,  
15 pictures, sounds, or symbols, or combinations of them.

16           6. "HEALTH CARE PROVIDER" means any doctor, nurse, chiropractor,  
17 optometrist, dentist, podiatrist, osteopath, physical therapist, acupuncturist, clinic, hospital  
18 or any other person or facility engaged in the practice of medicine or any healing art  
19 whether for treatment of physical or mental health.

20           7. "THIS INCIDENT", "ACCIDENT", or "WRECK" means circumstances and  
21 events surrounding the alleged accident, injury, or other occurrence on June 1, 2003.

22           8. When the term "SUBJECT VEHICLE" is used in these requests, the term is  
23 intended to mean the 2003 Chevrolet Malibu involved in THIS INCIDENT and identified in  
24 Plaintiffs' Complaint in the instant action and any component part thereof.

25           9. "STATEMENT" means a written statement signed or otherwise adopted or  
26 approved by the person making it, or a stenographic, mechanical, electrical, or other  
27 recording, or a transcription thereof, which is a substantially verbatim recital of an oral  
28 statement by the person making it and contemporaneously recorded.

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26 approved by the person making it, or a stenographic, mechanical, electrical, or other  
27 recording, or a transcription thereof, which is a substantially verbatim recital of an oral  
28 statement by the person making it and contemporaneously recorded.

10. "GENERAL MOTORS DOCUMENT" includes any documents authored by persons who were employed by any General Motors related company at the time the document was written, as well as documents authored by persons retained by any General Motors related company as independent contractors at the time the document was written.

11. The term "GENERAL MOTORS" includes General Motors Corporation and all of its subsidiaries and affiliated companies.

In responding to these requests, YOU must furnish all information which is available to YOU or subject to YOUR reasonable inquiry, including information available to YOUR attorneys, consultants, experts, investigators, agents or others acting on YOUR behalf.

## INTERROGATORIES

**INTERROGATORY NO. 1:** If your response to any of General Motors Corporation's First Set of Requests for Admission was anything but an unqualified admission, please state the basis for your response to each such Request for Admission.

**RESPONSE:**

**INTERROGATORY NO. 2:** Please state every address you have had and identify any other person or persons who lived with you at each address.

## RESPONSE:

**INTERROGATORY NO. 3:** Please identify every school you have attended, including the dates of attendance, and whether you graduated.

### **RESPONSE:**

**INTERROGATORY NO. 4:** Please identify every job you have held, including the name and address of your employers along with your job title and dates of employment.

## RESPONSE-

1 **INTERROGATORY NO. 5:** Please identify all medical practitioners who treated Plaintiff Jin  
2 Ah Lee from January 1, 1995 to her death.

3 **RESPONSE:**

4  
5 **INTERROGATORY NO. 6:** Please identify all persons with knowledge concerning this  
6 accident or your injuries. (This interrogatory is intended to include, without limitation, any  
7 police, ambulance, fire, or paramedic personnel that responded to the scene of the  
8 accident; any other persons who also were at the scene of the accident; and any close  
9 friends or family who have knowledge concerning this accident or any damages you  
10 contend you sustained as a result of this accident.)

11 **RESPONSE:**

12  
13 **INTERROGATORY NO. 7:** Please identify any persons from whom you or your agents have  
14 obtained a written or recorded statement pertaining to this case, including the dates of any  
15 statements obtained.

16 **RESPONSE:**

17  
18 **INTERROGATORY NO. 8:** Please identify every insurance company to whom you have  
19 submitted a claim for this accident. (This includes liability insurance, life insurance, medical  
20 insurance, disability insurance, and workers' compensation.)

21 **RESPONSE:**

22  
23 **INTERROGATORY NO. 9:** Please state the date on which you first contacted an attorney  
24 about this accident.

25 **RESPONSE:**

26  
27 **INTERROGATORY NO. 10:** If you contend that your injury was caused by any fallacy or  
28 deficiency in the information or warnings that were provided with or on the subject vehicle,

1    please identify each specific deficiency or fallacy, stating all facts upon which your  
2    contentions are based.

3            RESPONSE:

4

5    **INTERROGATORY NO. 11:** If you contend that any negligence on the part of GM caused  
6    your injuries, please state all facts upon which your contention is based.

7            RESPONSE:

8

9    **INTERROGATORY NO. 12:** Identify each part of the subject vehicle, if any, that you claim  
10    was defectively manufactured (not defectively designed), describing specifically and in detail  
11    each claimed manufacturing defect and stating how each claimed manufacturing defect  
12    caused the subject accident and/or Plaintiffs' injuries.

13            RESPONSE:

14

15    **INTERROGATORY NO. 13:** Identify each part of the subject vehicle, if any, that you claim  
16    was defective in design, describing specifically and in detail each claimed design defect, and  
17    stating how each claimed design defect caused the subject accident and Plaintiffs' injuries.

18            RESPONSE:

19

20    **INTERROGATORY NO. 14:** For each defect in manufacture or design identified in your  
21    answers to the preceding Interrogatories, state the specific facts (not conclusory allegations  
22    or legal theories) upon which you base your claim of defect.

23            RESPONSE:

24

25    **INTERROGATORY NO. 15:** Please describe specifically what design changes you contend  
26    should have been made to the subject vehicle to avoid your injuries.

27            RESPONSE:

1 **INTERROGATORY NO. 16:** Please identify every witness, including expert witnesses, who  
2 may testify at the trial of this matter including their names, addresses, job titles, relationship  
3 to any party, the subject matter and summary of the anticipated testimony.

4 **RESPONSE:**

5

6 **INTERROGATORY NO. 17:** List specifically and in detail each and every exhibit you  
7 propose to utilize at the trial of this matter. This Interrogatory is directed both at exhibits you  
8 intend to use at the trial and exhibits you may use at trial. The term "exhibits" included  
9 "impeachment" exhibits and with reference to the exhibits listed in response to the previous  
10 Interrogatory, please state the source of the exhibit, the nature of the exhibit, who prepared  
11 each exhibit, and the date on which it was prepared.

12 **RESPONSE:**

13

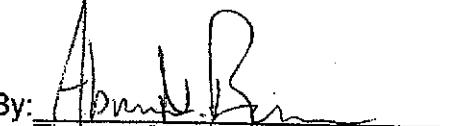
14 **INTERROGATORY NO. 18:** Please separately state the amounts you are claiming for  
15 economic damages and non-economic damages, explaining how you arrived at those  
16 amounts.

17 **RESPONSE:**

18

19 DATED this 8th day of November, 2007.

20 BOWMAN AND BROOKE LLP

21  
22 By:   
23 Thomas M. Klein  
24 Abram N. Bowman  
25 Attorneys for Defendant  
26 General Motors Corporation

27 **ORIGINAL** mailed this 8th  
28 day of November, 2007, to:

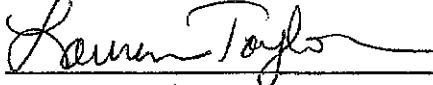
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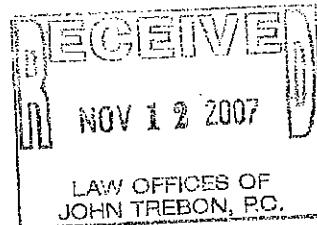
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16 ANC CAR RENTAL CORP., GENERAL  
17 MOTORS CORP., and HONG-JUN JEON,

18 Defendants.

19 Case No. CV-2005-0307

20 DEFENDANT GM CORPORATION'S  
21 REQUEST FOR PRODUCTION OF  
22 DOCUMENTS TO PLAINTIFF

23 (Assigned to Honorable Fred Newton)

24 Pursuant to Rule 34, Arizona Rules of Civil Procedure, Defendant General Motors  
25 Corporation ("GM") requests that Plaintiffs Jin Ah Lee and her stated personal  
26 representative Jungil Lee, Sang Chul Lee, and Dukson Lee ("Plaintiffs") produce and  
27 permit inspection, sampling, testing, photographing, and/or copying, the following  
28 documents, recordings, compilations of data, and/or tangible things within forty (40) days  
after receipt of these requests.

29 **INSTRUCTIONS FOR USE**

30 1. "YOU" and "YOUR" refers to decedent Jin Ah Lee and her stated personal  
31 representative Jungil Lee, as well as plaintiffs Sang Chul Lee and Dukson Lee.

32 ...

33 ...

1       2. "PERSON" means any natural person and any corporation, partnership, firm,  
2 joint venture, sole proprietorship, association, organization, trust, public entity, or other  
3 legal or business entity of any kind.

4       3. To "IDENTIFY" a person, if that person is a natural person, means to state  
5 that person's name and the present or last known residence or business address; to  
6 "IDENTIFY" a person, if that person is not a natural person, means to state its full name  
7 and specify its nature (corporation, partnership, etc.), and its present or last known  
8 principal business address.

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1       10. "GENERAL MOTORS DOCUMENT" includes any documents authored by  
2 persons who were employed by any General Motors related company at the time the  
3 document was written, as well as documents authored by persons retained by any  
4 General Motors related company as independent contractors at the time the document  
5 was written.

6       11. The term "GENERAL MOTORS" includes General Motors Corporation and  
7 all of its subsidiaries and affiliated companies.

8       In responding to these requests, YOU must furnish all information which is available  
9 to YOU or subject to YOUR reasonable inquiry, including information available to YOUR  
10 attorneys, consultants, experts, investigators, agents or others acting on YOUR behalf.

11       **REQUESTS FOR PRODUCTION**

12       **REQUEST FOR PRODUCTION NO. 1:** Please produce any and all documents that you  
13 contend support your response to a Request for Admission, filed concurrently herewith,  
14 that is anything other than an unqualified admission.

15       **RESPONSE:**

16

17       **REQUEST FOR PRODUCTION NO. 2:** Please produce all settlement agreements,  
18 releases, special agreements, covenants or compromises relating to any claims arising out  
19 of THIS INCIDENT.

20       **RESPONSE:**

21

22       **REQUEST FOR PRODUCTION NO. 3:** Please produce all written or recorded  
23 STATEMENTS related to THIS INCIDENT.

24       **RESPONSE:**

25

26       **REQUEST FOR PRODUCTION NO. 4:** Please produce all photographs, moving pictures,  
27 videotapes, drawings, models, maps, surveys, diagrams, or other tangible materials relevant  
28 to this matter, including those depicting YOU, the SUBJECT VEHICLE, or its component

1 parts, and the scene of THIS INCIDENT, whether taken before, after or during THIS  
2 INCIDENT.

3 **RESPONSE:**

4

5 **REQUEST FOR PRODUCTION NO. 5:** Please produce all the physical evidence in YOUR  
6 possession, custody or control including, but not limited to, each and every item of physical  
7 evidence obtained from the scene of THIS INCIDENT; and any other physical evidence in  
8 YOUR possession, custody or control and relating to YOUR claims.

9 **RESPONSE:**

10

11 **REQUEST FOR PRODUCTION NO. 6:** Please produce all information and documents  
12 relating to inspections of the scene of THIS INCIDENT.

13 **RESPONSE:**

14

15 **REQUEST FOR PRODUCTION NO. 7:** Please produce all documents, if any, that support  
16 the contentions in YOUR complaint.

17 **RESPONSE:**

18

19 **REQUEST FOR PRODUCTION NO. 8:** Please produce all of YOUR medical records, all of  
20 YOUR pre-accident medical records for the five (5) years preceding the SUBJECT  
21 ACCIDENT, and all of YOUR relevant post-accident medical records including, but not  
22 limited to, reports, doctors records, progress notes, hospital records, x-rays or other  
23 diagnostic studies.

24 **RESPONSE:**

25

26 **REQUEST FOR PRODUCTION NO. 9:** Please produce all documents related to YOUR  
27 claims for damages including but not limited to medical bills, pay stubs, wage information,  
28

1 insurance claim forms, and income tax returns filed with foreign, local, state, and federal  
2 agencies, if any.

3 **RESPONSE:**

4  
5 DATED this 8th day of November, 2007.

6 BOWMAN AND BROOKE LLP  
7  
8

9 By: AB

10 Thomas M. Klein  
11 Abram N. Bowman  
12 Attorneys for Defendant  
13 General Motors Corporation

14 **ORIGINAL** mailed this 8th  
15 day of November, 2007, to:

16 Michael S. Kimm, Esq.  
17 190 Moore Street, Suite 272  
18 Hackensack, New Jersey 07601  
19 Attorney for Plaintiffs

20 **COPIES** of the foregoing mailed this 8th  
21 day of November, 2007, to:

22 John Trebon, Esq.  
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